

for the recovery of any land or tenement or interest therein, or for the removal of cloud upon the title thereto, or for cancellation of any instrument of writing relating thereto founded or predicated on the claim that an instrument purporting to convey such lands, tenements or interests therein, or creating any rights therein, was not properly or legally acknowledged by a married woman grantor therein, or where it is essential to such recovery, cancellation or removal of cloud, to show that an instrument was not properly or legally acknowledged, shall be brought within twelve months next after the date such acknowledgment was taken and not thereafter; and providing further that the interested parties shall have twelve months from the date of the taking effect of this law in which to bring any such suit when the acknowledgment was taken prior to the taking effect of this law; providing for the repeal of all laws and parts of laws in conflict, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Committee with the recommendation that it do not pass.

BAILEY, Chairman.

Committee Room.

Austin, Texas, January 12, 1923.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 58, A bill to be entitled "An Act to repeal Articles 6802 and 6805 of the Revised Statutes of Texas of 1911, relating to the privy acknowledgment of married women, and to amend Articles 1114 and 1115 so as to omit the requirement in said articles of the separate and privy acknowledgment of the wife."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

BAILEY, Chairman.

6—Senate.

(Majority Report.)

Committee Room,

Austin, Texas, Jan. 12, 1923.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred Simple Resolution No. 16, have had the same under consideration and I am instructed to report the same back to the Senate with a recommendation that it be passed.

WITT, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, Jan. 12, 1923.

Hon. Lynch Davidson, President of the Senate.

Sir: We, a minority of your Committee on State Affairs to whom was referred Simple Resolution No. 16, have had the same under consideration and we beg leave to report the same back to the Senate with a recommendation that it be not passed.

WITT,
RIDGEWAY,
STUART,

Committee Room,

Austin, Texas, Jan. 16, 1923.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 72, A bill to be entitled "An Act to amend Chapter 5, Title 8, of the Code of Criminal Procedure of the State of Texas of 1911, so as to prevent the reversal of criminal cases by the Court of Criminal Appeals upon technicalities and irregularities, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

TURNER, Chairman.

SIXTH DAY.

Senate Chamber.

Austin, Texas,

Tuesday, January 16, 1923.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Dudley.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

Absent—Excused.

Burkett.	Murphy.
Fairchild.	

Prayer by the Rev. Dr. Monk.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Rogers.

See Appendix for standing committee report and petitions.

Bills and Resolutions.

By Senator Davis:

S. B. No. 96, A bill to be entitled "An Act to amend Section 1 of Chapter 101. General Laws passed at the Regular Session of the Thirty-third Legislature, making it an offense for any husband to wilfully, or without justification, desert, neglect or refuse to provide for the support and maintenance of his wife in destitute or necessitous circumstances or any parent who shall wilfully desert, neglect or refuse to provide for the support and maintenance of his or her child or children under the age of sixteen years in destitute or necessitous circumstances; prescribing the penalty therefor; and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Doyle:

S. B. No. 97, A bill to be entitled "An Act to appropriate the sum of one hundred thousand dollars, or as much thereof as may be necessary out of the revenue of the State for the erection of an administration building for the Extension Service of the Agricultural and Mechanical College of Texas, and the sum of fifteen thousand dollars out of the general revenues of the State for the

repair and remodeling of Gathright Hall, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Ridgeway:

S. B. No. 98, A bill to be entitled "An Act creating a pension fund for firemen, policemen and fire alarm operators in cities and towns of Texas having and maintaining a paid or partially paid or volunteer fire or police department or fire alarm operators' department, and providing for the administration of this Act."

Read the first time and referred to Committee on State Affairs.

By Senator Lewis:

S. B. No. 99, A bill to be entitled "An Act to validate, ratify and confirm unto Michael B. Menard, his heirs and assigns the title to the Michael B. Menard one league survey of land located in San Jacinto County, Texas, as described in the field notes thereof made by Arthur Henrie, Surveyor, on the 2nd day of June, 1835, and now on file in the General Land Office of the State of Texas, and as delineated on the official land map of the General Land Office of the State for lands located in said San Jacinto County, and declaring an emergency."

Read first time and referred to Committee on Public Lands and Land Office.

By Senator Fairchild:

S. B. No. 100, A bill to be entitled "An Act to authorize the formation of, and the regulation of, corporations for the purpose of accumulating and loaning money; of purchasing, holding, selling and dealing in notes, bonds and securities, but without banking and discounting privileges; of acting as trustee under any lawful express trust committed to them by contract and as attorney in fact under any duly executed power of attorney or as agent for the performance of any lawful act; and providing that no corporation organized hereunder shall act as agent, attorney in fact or trustee in the consolidation of, or for the purpose of combining the assets, business or means of any other persons, firms, corporations or associations, and providing an emergency."

Read first time and referred to Committee on Insurance and Banking.

By Senator Parr:

S. B. No. 101, A bill to be entitled "An Act amending Sections 31-a of Act passed at the First Called Session of the Thirty-sixth Legislature of the State of Texas, entitled 'An Act to amend sections 14, 17, 19, 21, 22, 25, 28, 31, 35, and 40, Chapter 157 of the General Laws of the Thirty-sixth Legislature, passed at the Regular Session thereof, being an "Act to preserve, propagate, distribute and protect wild game, wild birds, wild fowl of the State, to provide adequate penalties for the unlawful taking, slaughter, storage, sale, purchase or shipment thereof, to provide for the appointment of deputy game commissioners and fixing their salaries; to define the duties and powers of the Game, Fish and Oyster Commissioner, and his deputies, to fix the venue of prosecution under this Act, to provide for the issuing of hunting license, and prescribing penalties for hunting without a license, to declare that certain monies shall belong to Special Game fund of this State and the disposition to be made of said monies, and to repeal all laws in conflict herewith, and declare an emergency," correcting certain grammatical and typographical errors in said section and by adding thereto Sections 31-a, 31-b, providing a closed season on wild female deer and spotted fawns, and fixing a limit of three buck deer to be killed during one season by any one person and fixing the penalties therefor; providing the manner of transporting lawfully killed deer and fixing the penalties for unlawful shipment of deer;" and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Parr:

S. B. No. 102, A bill to be entitled "An Act amending Sections No. 6 and No. 7 of an Act passed at the Regular Session of the Thirty-sixth Legislature of the State of Texas, entitled, 'An Act relating to the protection of wild game, birds, etc., and requiring a license for the purpose of hunting, being H. B. 457, Chapter No. 157 of said Regular Session Laws, and repeal all laws in conflict herewith, and declaring emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Bledsoe:

S. B. No. 103, A bill to be entitled "An Act to establish a State college in that portion of Western Texas lying west of the 98th Meridian and north of the 30th parallel, to be known as the West Texas State College, providing for the location of such college, its government the control of its finances, defining its leading objects and prescribing generally the nature and scope of instruction to be given; conferring upon the board of directors of said college the right of eminent domain; making necessary appropriations for the purchase of lands, the location, establishment and maintenance of said college, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senators Holbrook, Dudley, Davis, Bowers:

S. B. No. 104, A bill to be entitled "An Act providing that State banks, or State bank and trust companies, organized under the general laws of the State of Texas, desiring to convert to any other system of banking, shall give notice to the public by advertisement in a newspaper of such change; providing also that such bank or trust company shall notify the Banking Commissioner of Texas, in writing, of such change, not less than 30 days before such conversion shall be made, providing that no funds shall have been deposited in a State bank and trust company in this State shall be protected by the Guaranty Fund of this State or by the Bond Security law of this State, after such corporation shall have been converted to some other system of banking; prohibiting a State bank or State bank and trust company organized and doing business under the General Laws of the State of Texas from investing more than fifty per cent of its capital stock and surplus in its banking house, nor more than fifteen per cent of its capital stock and surplus in furniture and fixtures to be contained in its banking house, without first obtaining the written permission of the State Banking Board of the State of Texas, prohibiting officers of State bank and trust companies organized under the General Laws of the State of Texas from engaging in fraudulent or speculative business enterprises calculated to bring discredit upon such bank or bank and trust company, giving the

Banking Commissioner of Texas power to remove officers guilty of such practices and to enforce his order of removal by closing and liquidating any bank or bank and trust company so offending; prohibiting State banks or State bank and trust companies organized under Title 14, Vernon's Sayles' Revised Statutes of the State of Texas, 1914, and amendments thereto from issuing non-interest bearing certificates of deposits and providing that interest bearing certificates of deposits shall not be protected by the Guaranty Fund law or the Bond Security plan of the State banks of Texas; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

By Senators Holbrook, Dudley, Davis and Bowers:

S. B. No. 105. A bill to be entitled "An Act to amend Section 2 of Chapter 15 of the General Laws of the State of Texas, being Senate Bill No. 4 of the Acts of the Thirty-first Legislature, passed at its Second Called Session in 1909, and being Article No. 466, Vernon's Sayles' Revised Statutes of the State of Texas, providing for the creation of a State banking board, fixing the number of members thereof, and defining the duties and powers of said board, and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

By Senators Holbrook, Dudley, Davis, Bowers:

S. B. No. 106. A bill to be entitled "An Act to repeal Article 473 of the Revised Statutes of Texas, being a part of Section 9, Chapter 15 of the General Laws of the State of Texas, passed by the Thirty-first Legislature in its Regular Session in 1909, and being Senate Bill No. 4, said Article 473 being that portion of Section 9, Chapter 15 of the General Laws of the State of Texas passed by the Thirty-first Legislature at its Regular Session in 1909, reading as follows: Whenever any such State bank of whose property and business the Commissioner has taken possession as aforesaid, deems itself aggrieved thereby, it may at any time apply to the district court, if in session, or to the judge thereof, if in vacation, of the district in which such bank is located and transacting business, to enjoin further proceedings, and

said court, if in session, or the judge thereof, if in vacation, after citing the Commissioner to show cause why further proceedings should not be enjoined, and hearing the allegations and proofs of the parties and determining the facts, may upon the merits dismiss such application or enjoin the Commissioner from further proceedings, and direct him to surrender such business and property to such State bank; and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

By Senators Holbrook, Dudley, Davis and Bowers:

S. B. No. 107. A bill to be entitled "An Act providing for the appointment of the Banking Commissioner of Texas, fixing the term of his office, official name, compensation and prescribing his qualifications and duties; providing for a seal of office; requiring of the Banking Commissioner of Texas an oath of office and a bond for the faithful discharge of his duties; providing for the appointment of a deputy Commissioner of Banking, defining his duties, fixing their number, salaries and duties; providing for the number of examinations that shall be made by State examiners of State Banks, fixing the fees that shall be paid for such examinations and providing how payments for salaries and expenses of examinations shall be made; providing for the appointment of a departmental examiner, prescribing his duties and fixing his compensation, providing for the appointment of a General Liquidating Agent; prescribing his duties and fixing his compensation; amending Chapter 10, General Laws of Texas, passed by the First Called Session of the Twenty-ninth Legislature in 1905, being Senate Bill No. 6, and amending Section 38 of said Chapter 10; amending Chapter 205, General Laws of the Thirty-fifth Legislature, passed at the Regular Session in 1917, and amending Section 5 of said Chapter 205; amending Chapter 15 of the Second Called Session of the Thirty-first Legislature, passed in 1909, being Senate Bill No. 4, amending Articles 518, 519, 521, Vernon's Sayles' Revised Statutes of the State of Texas amended by the Acts of the Thirty-first Legislature at its Regular Session in 1909, being Section 44 of Chapter 15 of Senate Bill No. 4,

Article 221a, Vernon's Sayles' Revised Statutes of Texas, as amended by Chapter 2, 105, Section 7, Acts of the Thirty-fifth Legislature at the Regular Session, 1917; repealing all laws and parts of laws in conflict herewith and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

By Senators Holbrook, Dudley, Davis and Bowers:

S. B. No. 108, A bill to be entitled "An Act to amend Section 10 of Chapter 15, being Senate Bill No. 4 of the Acts of the Thirty-first Legislature of the State of Texas, passed at its Second Called Session in 1909, being Article 486, Vernon's Sayles' Revised Statutes of the State of Texas, providing that the Banking Commissioner of Texas may take possession of any Bank or Trust Company under the provisions of the bank deposit guaranty law of the State of Texas, and providing that the depositors of said bank or trust company in Article 448, Vernon's Sayles' Revised Statutes of the State of Texas, shall be paid in full out of the cash in said bank or bank and trust company that can be made immediately available from such bank and the remainder shall be paid out of the depositors guaranty fund through the said board in the event of the cash available in said institution shall be insufficient and providing that only non-interest bearing and unsecured deposits shall be protected under the guaranty fund; defining public funds; providing that no deposit of public funds shall be protected under the guaranty fund or the bond security plan; that cashiers' checks, bank drafts or exchange issued by State banks or State bank and trust companies shall not be protected under the guaranty fund or the bond security plan, and providing that no unmatured interest bearing certificates of deposit or any other kind of interest bearing deposit that shall have been changed to a non-interest bearing and unsecured deposit within ninety days prior to that of the State bank by the Banking Commissioner of Texas shall be protected by the guaranty fund and that no deposit made by a creditor for the purpose of converting a loan held against a debtor

bank into a non-interest bearing and unsecured deposit shall be protected by the guaranty fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read the first time and referred to Committee on Insurance and Banking.

By Senators Holbrook, Dudley, Davis and Bowers:

S. B. No. 109, A bill to be entitled "An Act to amend Section 31 of Chapter 15, being Senate Bill No. 4 of the Acts of the 31st Legislature of the State of Texas, passed at its Second Called Session in 1909, and being Article No. 515, Vernon's Sayles' Revised Statutes of the State of Texas, and Article 522 of the Penal Code of the State of Texas, providing that all State banks or State banks and trust companies provided for in said Act shall have the right to use any truthful method of advertising, prohibiting the use of any untruthful statements of advertising as to the Guaranty Fund System of the State banks of Texas, or the Bond Security Plan of the State banks of Texas, empowering the Banking Commissioner to enforce this law, fixing penalties for its violation, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

By Senators Holbrook, Dudley, Davis and Bowers:

S. B. No. 110, A bill to be entitled "An Act to amend Section 5 of Chapter 10, Senate Bill No. 6 as passed by the 29th Legislature of the State of Texas in 1905, being Articles 375 of Title 14, Vernon's Sayles' Revised Statutes of the State of Texas providing for the amount of capital stock of State banks or State bank and trust companies that may be hereafter organized under Title 14, of the Revised Statutes of the State of Texas, or under the General Laws of the State of Texas, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read the first time and referred to Committee on Insurance and Banking.

By Senators Holbrook, Dudley, Davis and Bowers:

S. B. No. 111, A bill to be entitled "An Act to amend Sections 3 and 15 of Chapter 15, being Senate Bill No. 4 of the Acts of the 31st Legislature of the State of Texas, passed at its Second Called Session in 1909, and being Articles Nos. 447 and 491 of Vernon's Sayles' Revised Statutes of the State of Texas, providing that all banks and trust companies mentioned in Article 445 of the Revised Statutes of the State of Texas, shall have the right to secure its depositors under the terms, provisions and regulations set forth in Chapter 15, either by the Guaranty Fund or the Bond Security System, and providing how said banks shall avail themselves of said provisions, and providing that every State bank and trust company doing business under the State Banking Laws of the State of Texas shall secure its depositors either by the Guaranty Fund or the Bond Security System, and shall have the right to change from one system to the other at any time after proper notice to the Banking Commissioner of Texas, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

By Senator Darwin:

S. B. No. 112, A bill to be entitled "An Act to amend Article 2939, Chapter 4, Title 49, Revised Statutes of Texas of 1911, and as amended by Chapter 40 of the First Called Session of the 35th Legislature, to regulate elections and prescribing certain qualifications of voters, by making same conform to absentee voting as provided for in the recent amendment to the State Constitution, and declaring an emergency."

Read the first time and referred to Committee on Privileges and Elections.

By Senator Stuart:

S. B. No. 113, A bill to be entitled "An Act making it unlawful for the superintendent and manager of any line of railroad, or for the receivers of such railroad or for any person operating a railroad, to orally transmit to the conductor and engineer, or any member of a train crew, orders, regulating the movements of trains along side line of railroad, requiring that said

messages be in writing at the time of their delivery to the said member of the train crew, regardless of the means by which they were transmitted, providing penalty for the violation thereof, and providing that this provision may not apply to short lines of railroad of less than fifty miles in length, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senators Murphy and Witt:

S. B. No. 114, A bill to be entitled "An Act to amend Article 6319, Sections 1, 2, 3, 4 and 5, Chapter 3, Title 107, General Laws of Texas, Acts of the Thirty-sixth Legislature, Fourth Called Session, 1920, substituting said Sections and adding new Sections; creating pilot boards in navigation districts containing cities of 100,000 population, or more, and owning, operating or controlling docks, wharves, or other facilities for utilizing navigable streams therein; giving exclusive jurisdiction to such navigation districts over pilotage of vessels between the Gulf of Mexico and their respective ports; power of navigation and canal commissions constitution such pilot boards to appoint branch pilots, suspend or dismiss branch pilots or deputies, and to adopt rules and regulations for such; providing for bonds of branch pilots, and issuance of commissions to them by the Governor; providing reasonable rates for pilotage; defining duties, rights and privileges of branch pilots, and the responsibility of vessels and consignees to them; disqualifying persons for membership on pilot boards who are interested in any business affected by such position; repealing all laws and parts of laws in conflict with this Act, to the extent of such conflict; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Davis:

S. B. No. 115, A bill to be entitled "An Act to amend Article 1591 of the 1911 Revised Civil Statutes of Texas."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Davis:

S. B. No. 116, A bill to be entitled "An Act to amend Article 3687 of the Revised Civil Statutes of Texas."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Davis:

S. B. No. 117, A bill to be entitled "An Act to amend Article 1623 of the Revised Civil Statutes of Texas."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Davis:

S. B. No. 118, A bill to be entitled "An Act to amend Article 1620 of the Revised Civil Statutes of Texas."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Davis:

S. B. No. 119, A bill to be entitled "An Act to amend Article 1540 of the Revised Civil Statutes of Texas."

Read first time and referred to Committee on Civil Jurisprudence.

Concurrent Resolution No. 11.

By Senator Holbrook:

Whereas, Texas is recognized as one of the greatest States in the American Union, standing for the fundamental principles of local self-government, and a strict consideration of the Constitution, as interpreted by Thomas Jefferson, the great teacher and exponent of the sacred doctrine of States Rights; and,

Whereas, The State democratic platform adopted at San Antonio declares:

"We reaffirm the traditions and principles in favor of a strict construction of the Federal Constitution, and the preservation, of the rights of the States, and the liberties of the people; the political equalities of our citizens, freedom of conscience, the separation of Church and State, and the freedom of the press among the fundamental doctrines embodied in the Declaration of Independence and the Constitution of the United States, and at all times adhered to by the democracy of the Union;" and,

Whereas, Said platform further affirms:

"We declare our continued adherence to the doctrine of the autonomy of the States and their unsundered sovereignty, and to the principle that power not specifically delegated to the Federal Government is reserved to the States." Now, therefore

Be it resolved by the Senate of Texas, the House of Representatives concurring,

That we endorse said declaration

in the State democratic platform as sound and American, and as embodying the fundamentals of State sovereignty and local self-government, as against centralization as advocated by monarchists.

Resolved, further, That we go on record as favoring strict compliance with the letter and spirit of these declarations, both in the Congress of the United States, and in the Legislature of Texas, and that we will steadfastly uphold and defend every power of the Federal Government conferred by the Constitution and every law legally enacted thereunder, but will oppose to the extent of our ability, every effort by Congress or any other agency to extend the powers of the Federal Government over the local affairs of the States and thereby weaken the sovereignty of the States, by any means whatsoever, unless such authority be clearly and specifically authorized by the Constitution.

Resolved, further, That we request the Legislatures of the several States, and the Congress of the United States, to join us in a declaration of a closer adherence, devotion, and re-consecration to the principles of State Sovereignty, and the plain mandates of the Constitution of the United States.

The resolution was read.

On motion of Senator Clark the resolution was referred to the Committee on State Affairs.

Bills Signed.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

- S. C. R. No. 1.
- S. C. R. No. 2.
- S. C. R. No. 3.
- S. C. R. No. 5.
- S. C. R. No. 6.
- S. C. R. No. 9.

Simple Resolution No. 30.

By Senator Cousins:

Whereas, Mrs. R. A. Pleasants, wife of former Governor Pleasants of Louisiana is in the city, Therefore be it

Resolved, That she be invited to address the Senate.

The resolution was read and adopted.

The Chair appointed Senators

Cousins, Strong and Thomas as a committee to escort Mrs. Pleasants to the President's stand, where, after being presented by Lieutenant Governor Lynch Davidson, she addressed the Senate.

Simple Resolution No. 31.

By Senator Doyle:

Whereas, the paint recently applied to the dome of the Capitol is of such contrast in color compared to that of the building as to cause the dome to look like a new pigeon house on an old building; therefore be it

Resolved, That the Board of Control be required to repaint the dome with suitable paint of a civilized color to match the color of the building.

The resolution was read and adopted.

Simple Resolution No. 16.

The Chair laid before the Senate for consideration at this time, Simple Resolution No. 16:

Be it Resolved, By the Senate of Texas:

That we heartily commend and endorse the efforts being made by the Honorable J. M. Parker, Governor of Louisiana, in behalf of the enforcement of law, the vindication of the constitutional rights of American citizens and against the rule of hooded mobs and masked political organizations.

The resolution was read.

Senator Rogers moved to adopt the majority committee report.

Senator Rogers moved the previous question on the motion to adopt the majority committee report and upon the adoption of the resolution, and the motion was seconded.

Senator Bledsoe called for a division of the question on ordering the previous question on the adoption of the committee report and the adoption of the resolution.

The Chair held that the question was not susceptible of division.

Senator Woods raised the point of order that ordering the previous question without giving Senators an opportunity of discussing the resolution involved the privileges of the Senators granted by the Constitution.

The Chair overruled the point of order.

Question recurred on the motion to order the previous question on the

adoption of the majority committee report and the adoption of the resolution.

Yeas and nays were demanded and the previous question was ordered by the following vote:

Yeas 15.

Bailey.	Rogers.
Cousins.	Strong.
Darwin.	Thomas.
Dudley.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Parr.	

Nays 12.

Bledsoe.	McMillin.
Bowers.	Rice.
Clark.	Ridgeway.
Davis.	Stuart.
Doyle.	Wood.
Lewis.	Woods.

(Pair Recorded.)

Senator Baugh (present), who would vote nay; with Senator Murphy (absent), who would vote yea.

Senator Pollard (present), who would vote nay; with Senator Burkett (absent), who would vote yea.

Question recurred on the motion to adopt the majority committee report.

Yeas and nays were demanded and the motion prevailed by the following vote:

Yeas 19.

Bailey.	Pollard.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Thomas.
Doyle.	Turner.
Dudley.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	Woods.
Parr.	

Nays 9.

Bledsoe.	Rice.
Bowers.	Ridgeway.
Davis.	Stuart.
Lewis.	Wood.
McMillin.	

Absent—Excused.

Burkett.

(Pair Recorded.)

Senator Baugh (present), who would vote nay; with Senator Murphy (absent), who would vote yea.

The question then recurred on the motion to adopt the resolution.

Yeas and nays were demanded and the resolution was adopted by the following vote:

Yeas 18.

Bailey.	Parr.
Clark.	Pollard.
Cousins.	Rogers.
Darwin.	Strong.
Doyle.	Thomas.
Dudley.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.

Nays 8.

Bledsoe.	McMillin.
Bowers.	Rice.
Davis.	Ridgeway.
Lewis.	Stuart.

Present—Not Voting.

Woods.

(Pairs Recorded.)

Senator Wood (present), who would vote nay; with Senator Burkett (absent), who would vote yea.

Senator Baugh (present), who would vote nay; with Senator Murphy (absent), who would vote yea.

Simple Resolution No. 32.

(By Unanimous Consent.)

By Senator Woods:

Be it Resolved, By the Senate of Texas:

That the law as established by the Constitution and Statutes of the Nation and the States is the supreme power to which all must yield respect and obedience. The due and orderly administration of the law is committed to the executive and judicial departments of the Government through regularly constituted officers. That just government may be maintained, public welfare promoted, and the liberties of the citizen preserved, it is provided in the fundamental law that no person shall be deprived of life, liberty, and property except in accordance with due course of the law of the land. No man or body of men is higher than the law, and it is not within the prerogative of any man or body of men to undertake privately to administer the law by the condemnation, correction,

and punishment of others. The public safety and welfare demand the faithful, constant, impartial, and energetic performance of duty by all officers to whom is committed the administration of the law, and we earnestly commend and approve all officers of the Government, Federal, State, and local, in the prompt, efficient, and determined performance of the duties incumbent upon them in the strict enforcement of law, and the preservation of the rights of the people.

The resolution was read and adopted by the following vote:

Yeas 28.

Bailey.	McMillin.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Dudley.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
Lewis.	Woods.

Absent.

Rice.

Absent—Excused.

Burkett.

Murphy.

Simple Resolution No. 33.

By Senator Stuart:

Whereas, The Texas and the United States flags that are now draped above the desk of the President of the Senate, have become very much faded and soiled through long use; and,

Whereas, In their present condition and appearance they are not in keeping with the sentiment and ideals of the Senate with regard to the respect and reverence due these insignia of the State and National Governments. Therefore Be it

Resolved, That the Committee on Contingent Expenses purchase new flags to be substituted for those now in service, and have the same properly draped above the President's desk, and that these be paid for out of the contingent fund of the Senate.

The resolution was read and adopted.

Designation of President Pro Tem.

(By Unanimous Consent.)

Senate Chamber,
Austin, Texas, January 12, 1923.
To the Senate:

Whereas, I, R. M. Dudley, President Pro Tempore of the Senate of Texas, contemplate that following this day and beginning Tuesday, January 16, 1923, I shall necessarily be absent from the Senate continuously for about 10 to 20 days on account of important business; and,

Whereas, It becomes my duty to designate a member of this Senate to perform the duties of President Pro Tempore of the Senate in my absence;

Now, Therefore, I hereby nominate and designate the Hon. H. L. Darwin, the Senator from District No. 3, to act in my place and stead as President Pro Tempore aforesaid at such times during my absence as any duties shall devolve upon the President Pro Tempore in conducting the business of the Senate.

R. M. DUDLEY,
President Pro Tempore of the Senate.

S. C. R. No. 8.

Senator Bledsoe, by unanimous consent, called up from the table for consideration at this time, S. C. R. No. 8, relating to Orient Railroad.

The Chair laid the resolution before the Senate and it was read.

On motion of Senator Bledsoe, the Senate rule requiring committee reports to lie over one day, was suspended, and the committee report was adopted.

Senator Bledsoe offered the following amendment to the resolution:

The classification of the Federal Acts to provide that the title, or some substantial part of the title, of a road or roads enjoying such immunity shall be vested in a sovereign State or an agency created by a sovereign State.

The amendment was adopted.

The resolution, as amended, was then adopted.

(Senator Dudley in the Chair.)

Simple Resolution No. 34.

By Senator Bledsoe:

I move that Senator Wirtz be added

to Committee on Mining and Irrigation.

The resolution was read and adopted.

Simple Resolution No. 35.

By Senator Woods:

Whereas, Hon. Lynch Davidson has for two years served faithfully and well the people of Texas as their Lieutenant Governor and as Presiding Officer of the State Senate, and is now voluntarily retiring from office; and we desire to put on record our respect, esteem and affection for him as a distinguished officer of the State Government, as our own presiding officer, and as an honorable and worthy fellow man.

Therefore be it Resolved, By the Texas State Senate that we hereby attest our recognition of his uniform courtesy, impartiality, genial good humor, and fairness, combined with wide comprehension of the business and proceedings of the Legislative department of the Government, and the problems affecting the general welfare of the people.

We commend him for his capable and distinct service to the State; and on this, the eve of his retirement, we wish for him many years of active usefulness to his fellow men, and of happiness for himself and family.

Ridgeway, Turner, Pollard, Watts, Doyle, Witt, Rogers, Davis, Bledsoe, Wood, Floyd, Stuart, Woods, Clark, Parr, Strong, Bailey, Thomas, Wirtz, Holbrook, Cousins, Dudley, McMillin, Rice, Baugh, Lewis, Bowers, Darwin, Fairchild.

The resolution was read and adopted by the following vote:

Yeas 29.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Dudley.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
Lewis.	Woods.
McMillin.	

Absent—Excused.

Burkett.

Murphy.

S. B. No. 77—Re-referred.

On motion of Senator Bowers, S. B. No. 77 was withdrawn from the Committee on Public Lands and Land Office, and referred to the Committee on Finance.

Bill Read and Referred.

The Chair had referred, after its caption had been read, the following bill:

H. B. No. 21, referred to Committee on Civil Jurisprudence.

S. B. No. 34 on Second Reading.

The Chair laid before the Senate on second reading,

S. B. No. 34, A bill to be entitled "An Act to amend Articles 7800, 7801 and 7803 of Title 130, Chapter 1, of the Revised Civil Statutes of Texas, 1911, so as to provide for the forfeiture of the charter of any domestic corporation, and to prohibit any foreign corporation from doing business in this State, which has been adjudged guilty of violating the anti-trust laws of this State; prescribing the methods by which the charter of a domestic corporation may be forfeited and a foreign corporation denied the right to do business in Texas; and declaring an emergency."

The bill was read second time and passed to engrossment.

S. B. No. 34 on Third Reading.

On motion of Senator Davis, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—29.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Dudley.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
Lewis.	Woods.
McMillin.	

Absent—Excused.

Burkett.

Murphy.

The Chair then laid S. B. No. 34 before the Senate on third reading and final passage.

The bill was read third time and passed.

(Lieutenant Governor in Chair)

Lieutenant Governor's Farewell Address.

Retiring Lieutenant Governor Lynch Davidson, in a brief address, expressed to the Senate his high appreciation of the many courtesies extended to him.

At Ease.

On motion of Senator Bailey, the Senate at 11:30 stood at ease, subject to the call of the Chair.

Joint Session.

At 11:55 o'clock a. m., the Chair called the Senate to order and announced that the time had arrived for the Senate to repair to the House for the purpose of sitting in joint session during the inaugural services. The Senate accordingly repaired to the House.

(Hon. Lee Satterwhite in the Speaker's Chair.)

At the hour of 12 o'clock m., fixed by concurrent action of the two houses for the Senate and House of Representatives to meet in Joint Session for the purpose of inaugurating the Governor-elect and the Lieutenant Governor-elect, the honorable Senate were announced at the bar of the House and, by direction of the Speaker, were admitted.

Escorted by the Sergeant-at-Arms of the Senate, Arthur W. Holt, the Secretary of the Senate, W. V. Howerton, and the Journal Clerk of the Senate, Tilden L. Childs, the Senators advanced into the Hall and, by direction of the Speaker of the House, occupied seats prepared for them along the aisle.

The President Pro Tempore of the Senate, Hon. R. M. Dudley, by invita-

tion of the Speaker, occupied a seat on the Speaker's stand on the right of the Speaker.

Hon. Pat M. Neff, Governor-elect, and Hon. T. W. Davidson, Lieutenant Governor-elect, and their company, being announced at the bar of the House, were admitted and conducted to the Speaker's stand, where they were invited to seats.

The following committees, delegations, officials and guests accompanied the Governor-elect and Lieutenant Governor-elect to the Speaker's stand:

Representatives of the inaugural executive committee of Austin.

Senators Witt, Rogers and Davis.

Representatives Carter of Coke, Jacks, Beasley, Edwards and Russell of Callahan.

Associate Justices Greenwood and Pierson.

Speaker of the House, Hon. R. E. Seagler.

Lieutenant Governor Lynch Davidson, accompanied by Lieutenant Governor-elect, Hon. T. W. Davidson.

Governor-elect Pat M. Neff and aides.

The Lieutenant Governor directed the Secretary of the Senate to call the roll of the Senate.

The roll of the Senate was called, and the following Senators answered to their names:

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Dudley.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
Lewis.	Woods.
McMillin.	

Absent—Excused.

Burkett. Murphy.

The Lieutenant Governor announced a quorum of the Senate present.

(Speaker Seagler in the Chair.)

The Speaker directed the Clerk to call the roll of the House.

The roll of the House was called,

and the following members answered to their names:

Mr. Speaker.	Jacks.
Abney.	Jennings.
Arnold.	Kemble.
Atkinson.	Lackey.
Avis.	Laird.
Baker of Milam.	Lamb.
Baker of Orange.	Lane.
Baldwin.	LeMaster.
Barker.	Lewis.
Barrett.	Loftin.
Beasley.	Looney.
Bell.	Lusk.
Bird.	McBride.
Blount.	McDaniel.
Bobbitt.	McDonald.
Bryant.	McNatt.
Cable.	Martin.
Carpenter, L. T.	Mathes.
Carpenter, W. C.	Maxwell.
Carson.	Nelson.
Carter of Coke.	Merriman.
Carter of Hays.	Merritt.
Chitwood.	Miller.
Coffee.	Montgomery.
Collins.	Moore.
Covey.	Morgan, C. A.
Cowen.	Pate.
Crawford.	Patman.
Culp.	Patterson.
Davenport.	Perdue.
Davis.	Pinkston.
DeBerry.	Pope.
Dielmann.	Potter.
Dinkle.	Price.
Dodd.	Purl.
Downs.	Quaid.
Driggers.	Quinn.
Duffey.	Rice.
Dunlap.	Robinson.
Dunn.	Rogers.
Durham.	Rountree.
Edwards.	Rowland.
Faubion.	Russell of Callahan.
Fields.	Russell of Trinity.
Finlay.	Sackett.
Franka.	Sanford.
Fugler.	Satterwhite.
Gipson.	Shearer.
Green.	Shires.
Greer.	Simpson.
Hardin of Erath.	Smith.
Hardin of Kaufman.	Sparkman.
Harrington.	Stell.
Harris.	Stevens.
Henderson, P. G.	Stewart of Edwards.
Henderson, R. L.	Stewart of Jasper.
Hendricks.	Stewart of Reeves.
Houston.	Stiernberg.
Howeth.	Storey.
Hughes.	Stroder.
Hull.	Sweet.
Irwin.	Teer.

Thompson.	Westbrook.
Thrasher.	Wessels.
Turner.	Williamson.
Vaughn.	Wilson.
Wallace.	Winfree.
Wells.	Young.

Absent.

Bonham.	McKean.
Johnson.	

Absent—Excused.

Amsler.	McFarlane.
Brady.	Morgan, W. C.
Burmeister.	Pool.
Jones.	Strickland
LeStourgeon.	Williams.

The Speaker announced a quorum of the House present.

Speaker Seagler then directed the Clerk to read from the House Journal of Friday, January 12, 1923, the report of the joint committee to arrange for the counting of the vote for and the inauguration of Governor and Lieutenant Governor, which report was on that day duly adopted.

The Clerk then read the report as follows:

Austin, Texas, January 15, 1923.
Hon. Lynch Davidson, President of the Senate, and
Hon. R. E. Seagler, Speaker of the House of Representatives.

Sirs: We, your joint committee and tellers, appointed to canvass the votes cast at the last general election held in the State of Texas on November 7th, 1922, for Governor and Lieutenant Governor of the State of Texas, beg leave to report that we have performed that duty, and the result of our canvass is as follows:

There were cast for Governor—
Pat M. Neff.....334,199 votes
W. H. Atwell..... 73,327 votes
Scattering 31 votes
Total number of votes cast.

for Governor.....407,557 votes

There were cast for Lieutenant Governor—

T. W. Davidson.....353,550 votes
George E. Kepple.... 56,519 votes
Scattering 2 votes
Total number of votes cast for Lieutenant Governor...410,071 votes

No returns were presented to your committee from the following named counties: Cochran, Crane, Loving, Throckmorton and Zavalla.

All of which is respectfully submitted:

WITT,
DAVIS,
ROGERS.

On the part of the Senate.

BEASLEY,
CARTER of Coke,
RUSSELL of Callahan
EDWARDS,
JACKS.

On the part of the House.

Rev. Burke Culpepper offered prayer.

The Speaker of the House and the Lieutenant Governor then announced that the two houses were in joint session for the purpose of inaugurating the Governor-elect and Lieutenant Governor-elect.

Hon C. M. Cureton, Chief Justice of the Supreme Court of Texas, was then presented by Speaker Seagler.

Hon. T. W. Davidson, Lieutenant Governor-elect, then came forward and took the constitutional oath of office, which was administered to him by Chief Justice C. M. Cureton, and he also affixed his signature to the official oath. Chief Justice Cureton attesting same with the great seal of the Commonwealth of Texas.

The Speaker of the House presented Hon. T. W. Davidson and the Lieutenant Governor then addressed the joint session and the assemblage.

Hon. Pat M. Neff, Governor-elect, then came forward and took the constitutional oath of office, which was administered to him by Chief Justice Cureton and he affixed his signature to the official oath. Chief Justice Cureton attesting same with the great seal of the Commonwealth of Texas.

Hon. Lynch Davidson being presented to the joint session by Hon. R. M. Dudley, President Pro Tem. of the Senate, addressed the House and presented Hon. Pat. M. Neff to the joint session and the assemblage.

Hon. Pat M. Neff, Governor of Texas, then addressed the joint session and the assemblage.

In the Senate.

Recess.

On motion of Senator Bledsoe, the Senate at 1:25 p. m., recessed until 3 p. m. today.

Afternoon Session.

The Senate was called to order at 3 p. m. by Senator Dudley, President Pro Tempore.

Senator Dudley presented Hon. T. W. Davidson, newly elected Lieutenant Governor and presiding officer of the Senate.

Lieutenant Governor Davidson briefly addressed the Senate.

S. B. No. 34 on Final Passage.

On motion of Senator Davis, by unanimous consent, the vote by which S. B. No. 34 was finally passed on this morning was reconsidered.

The Chair then laid before the Senate on final passage,

S. B. No. 34, A bill to be entitled "An Act to amend Articles 7800, 7801 and 7803 of Title 130, Chapter 1, of the Revised Civil Statutes of Texas, 1911, so as to provide for the forfeiture of the charter of any domestic corporation, and to prohibit any foreign corporation from doing business in this State, which has been adjudged guilty of violating the anti-trust laws of this State; prescribing the methods by which the charter of a domestic corporation may be forfeited and a foreign corporation denied the right to do business in Texas; and declaring an emergency."

The bill was passed finally by the following vote:

Yeas 26.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Ridgeway.
Bowers.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Dudley.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
McMillin.	Woods.

Absent.

Clark.	Rice.
Lewis.	

Absent—Excused.

Burkett.	Murphy.
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Simple Resolution No. 36.

By Senator Stuart:

Whereas, A thorough knowledge of the Constitution of this State and of the United States is essential for every Senator; and,

Whereas, The provisions of the Constitution of our State mean what the courts have construed them to mean; and a thorough knowledge of that instrument can be obtained only by a study of the decisions of our courts; and,

Whereas, The Constitution of this State and of the United States has been recently and appropriately annotated, up to date, by a competent authority. Therefore be it

Resolved, That the Committee on Contingent Expenses purchase for the use of each member of this Senate, for immediate delivery, a copy of Moffet's Texas and United States Constitution, Annotated, the same to be paid for out of the contingent fund of the Senate.

The resolution was read.

On motion of Senator Bailey, the resolution was referred to the Committee on Contingent Expenses.

S. B. No. 12—Re-referred.

On motion of Senator Doyle, by unanimous consent, S. B. No. 12 was withdrawn from the Committee on Counties and County Boundaries, and re-referred to the Committee on Privileges and Elections.

Message from Gov. Parker.

The Chair had read the following message:

Baton Rouge, La., January 16, 1923.

Hon. W. V. Howerton,

Secretary of Senate, Austin, Tex.

Please convey to the gentlemen of the Senate of Texas my cordial appreciation of their resolution. It will be a great day for State and nation when our laws are fearlessly and impartially enforced and masked or unmasked mob violence suppressed. The action of the great State of Texas will have a powerful effect.

JNO. M. PARKER, Governor.

Board of Managers of State Railroad.

The Chair announced the appointment of the following Board of Managers of the State Railroad: Lynch Davidson, Chairman; John A. Glenn, E. C. Durham.

Gavels Presented to Chair.

Senator Pollard, on behalf of John M. Adrian, presented to Lieutenant Governor T. W. Davidson a working gavel of hardwood, and an ornamental gavel, made of the following kinds of Texas timber: Ash, bois d'arc, birch, cedar, gum, mulberry, maple, oak and walnut, and the handle made of white oak.

The Lieutenant Governor also acknowledged receipt of a gavel from Fletcher Riggs of Marshall, Texas, in behalf of the Riggs Manufacturing Company.

The Lieutenant Governor also expressed appreciation of flowers from former Senator Buchanan.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, Jan. 16, 1923.

Lieutenant Governor Lynch Davidson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 21, A bill to be entitled "An Act to amend Section 2 of Chapter 57 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-first Legislature, 1909, by substituting therefor a new section; providing for the appointment of a clerk of the Court of Criminal Appeals; fixing his salary and defining his powers and duties; abolishing the salary of deputy clerk; repealing all laws in conflict herewith, and declaring an emergency," with engrossed rider.

S. B. No. 69, A bill to be entitled "An Act to amend Chapter 26 of the General Laws passed by the Regular Session of the Thirty-seventh Legislature, same being Senate Bill No. 267, approved March 12, 1921, as amended by Chapter 4 of the General Laws passed by the Second Called Session of the Thirty-seventh Legislature, same being Senate Bill No. 14, ap-

proved August 25, 1921, creating a board of managers for the Texas State Railroad; providing its duties, etc.; amending Section 1 of the original Act so as to provide for the appointment of members and chairman of the board and for filling vacancies thereon; also by adding Sections 8a and 8b, authorizing the granting of free passes or transportation over railroads to the members of the boards of managers, and declaring an emergency."

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

Adjournment.

On motion of Senator Woods, the Senate at 3:35 p. m. adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.**Committee Reports.**

Senate Chamber,

Austin, Texas, January 16, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 34 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,

Austin, Texas, January 16, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Concurrent Resolution No. 8 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Committee Room,

Austin, Texas, January 15, 1923.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your committee on Privileges and Elections, to whom was referred

S. B. No. 38, A bill to be entitled "An Act to repeal the Primary Election Law of Texas."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

DAVIS, Chairman.

Committee Room,
Austin, Texas, Jan. 15, 1923.
Hon. Lynch Davidson, President of
the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

S. B. No. 12, A bill to be entitled "An Act requiring any officer holding an office of emolument in Texas, District, State or Federal, that is, Congressmen and United States Senators, to resign the office he holds on announcing his candidacy for another office of emolument, and providing penalties for its infraction."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

DAVIS, Chairman.

Committee Room,
Austin, Texas, January 15, 1923.
Hon. Lynch Davidson, President of
the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 74. A bill to be entitled "An Act to amend Section 6 of Chapter 113 of the General Laws of the Regular Session of the 33rd Legislature, approved April 2nd, 1913, defining, regulating and controlling fraternal benefit societies, so as to provide that where a member of such a society fails to designate a beneficiary or if at the death of the member the beneficiary designated is dead or has no insurable interest in the life of the member, the death benefits shall not be forfeited but shall be paid to the persons named in said section in the order therein named, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,
Austin, Texas, January 15, 1923.
Hon. Lynch Davidson, President of
the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 85, A bill to be entitled "An Act to amend Article 4113, Chapter 8, Title 64 of the Revised Civil Statutes of Texas, 1911, providing for the return of an inventory and appraisal of the estate of a

minor, and where such inventory and appraisal shows such estate to be of the value of \$1,000.00 or less, authorizing a guardian to control, manage, or dispose of all or any part of the same without further application or order from the Probate Court; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,
Austin, Texas, January 15, 1923.
Hon. Lynch Davidson, President of
the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 37, A bill to be entitled "An Act to amend an Act entitled an Act, Nepotism, defining and prohibiting the same."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

BAILEY, Chairman.

Committee Room,
Austin, Texas, January 15, 1923.
Hon. Lynch Davidson, President of
the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 78, A bill to be entitled "An Act to amend Article 29 of Title 5 of the Revised Statutes of 1911 as amended by Acts of 1911, page 269, Section 1, Act 1911, unpublished; Acts 1913, page 7, Section 1; and Acts 1915, Chapter 70, Section 1, by providing that the counties of Raines, Wood, Van Zandt, and Henderson shall be taken from the Fifth Supreme Judicial District of Texas and added to the Sixth Supreme Judicial District of Texas; that the county of Lamar shall be taken from the Sixth Supreme Judicial District of Texas and added to the Fifth Supreme Judicial District of Texas; that the county of Panola shall be taken from the Ninth Supreme Judicial District of Texas; that the counties of Shelby, Nacogdoches, and Angelina be taken from the Ninth Supreme Judicial District of Texas and added to the Sixth Supreme Judicial District of Texas; that the counties of Anderson and Houston be taken from the First Supreme Judicial District of Texas, and that the Court of Civil Appeals of the Sixth Supreme

Judicial District of Texas shall hold its sessions in the City of Tyler, in the county of Smith; and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

POLLARD, Chairman.

Committee Room,
Austin, Texas, January 16, 1923.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Federal Affairs, to whom was referred S. C. R. No. 7, being

"A Concurrent Resolution in Reference to Federal aid, or fifty-fifty appropriations."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

STUART, Chairman.

Committee Room,
Austin, Texas, January 16, 1923.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Federal Affairs, to whom was referred S. C. R. No. 8, being resolution providing for the continuance and development of the Kansas City, Mexico & Orient Railroad.

Have had the same under consideration and I am instructed to report the same back to the Senate with the following amendment:

That the clause reading as follows: "Which agency shall be equivalent to State ownership of some substantial part of the road or all of said road" be omitted from said resolution.

Have had the same under consideration and beg leave to report that with the exception above stated and the amendment herewith made, recommend that the same do pass.

STUART, Chairman.

SEVENTH DAY.

Senate Chamber,
Austin, Texas,
Wednesday, Jan. 17, 1923.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum be-

7—Senate.

ing present, the following Senators answering to their names:

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

Absent—Excused.

Burkett. Murphy.
Dudley.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with, on motion of Senator Clark.

See Appendix for committee reports and petitions.

Excused.

Senator Dudley, indefinitely, on account of important business, on motion of Senator Witt.

Senator Burkett for Monday and the balance of this week, on account of important business, on motion of Senator Holbrook.

Presentation to Lieutenant Governor T. W. Davidson.

Senator Strong, on behalf of Mr. and Mrs. Edmund Key of Marshall, Texas, presented Lieutenant Governor T. W. Davidson, with a beautiful bouquet of roses.

Bills and Resolutions.

By Senator Davis:

S. B. No. 120, A bill to be entitled "An Act authorizing cities having more than twenty-five thousand inhabitants and owning and operating their own waterworks system to acquire by purchase, gift, devise or by the exercise of the right of eminent domain through and by condemnation proceedings, the necessary lands and property, public or private, including